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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BANK OF AMERICA, N.A.,

Plaintiff,

v.

HIDDEN CANYON HOMEOWNERS
ASSOCIATION; THOMAS JESSUP, LLC;
THOMAS JESSUP, LLC SERIES VI;
ABSOLUTE COLLECTION SERVICES, LLC,

Defendants.

Case No.: 2:17-cv-02447-MMD-GWF

**STIPULATION AND ORDER OF FINAL
JUDGMENT CONFIRMING EXISTENCE
AND VALIDITY OF DEED OF TRUST**

Plaintiff, Bank of America, N.A. (**BANA**) and defendants, Thomas Jessup, LLC Series VI, a Nevada series limited liability company (**Jessup Series VI**), f/k/a Thomas Jessup, LLC (**Jessup**), stipulate as follows:

1. This matter relates to real property located 3808 Bach Way, North Las Vegas, Nevada, 89032, APN 139-09-211-007. The property is more specifically described as:

Lot 7 in Block 3 of Symphony West Phase 1, as shown by map thereof on file in Book 52 of Plats, Page 84, which recorded in Book 920515 as Instrument No. 00745, in the Office of the County Recorder of Clark County, Nevada.

Assessor's Parcel No. 139-09-211-007

2. This dispute related to a deed of trust that encumbers the Property and was recorded on June 1, 2006 as Instrument No. 20060601-0005068, in the Official Records of Clark County, Nevada (the **Deed of Trust**).

1 3. On May 16, 2012, Hidden Canyon Homeowners Association recorded a foreclosure deed
2 as Instrument No. 20120516-0002898 in the Official Records of Clark County, Nevada (the **HOA**
3 **Foreclosure Deed**), reflecting that Thomas Jessup, LLC purchased the property at a foreclosure sale
4 of the property conducted by Absolute Collection Services, LLC (**ACS**) on May 15, 2012 (the **HOA**
5 **Sale**).

6 4. On May 31, 2013 a quit claim deed was recorded as Instrument No. 201305310004709
7 in the Official Records of Clark County, Nevada reflecting the transfer of the property from Jessup to
8 Jessup Series VI. Jessup Series VI has not transferred its interest in the property and is currently the
9 title holder of record.

10 5. On September 19, 2017, this quiet title action was initiated in the United States District
11 Court, District of Nevada, Case No. 2:17-cv-02447-MMD-GWF.

12 6. BANA, non-party Nationstar Mortgage LLC, and Jessup Series VI have entered a
13 confidential settlement agreement in which they have settled all claims between them in this case.

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1 7. The Deed of Trust survived and was not extinguished in any capacity by the HOA Sale.
2 The Deed of Trust remains a valid encumbrance against the property following the recording of the
3 HOA Foreclosure Deed, and Jessup Series VI's ownership interest in the property is subject to the
4 Deed of Trust. Nothing in this Order alters the HOA's lien rights or lien priority pursuant to NRS 116.

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8/6/19
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*Attorney for Defendant Thomas Jessup, LLC, Series
VI, a Nevada limited liability company, as
successor to Thomas Jessup, LLC*

ORDER

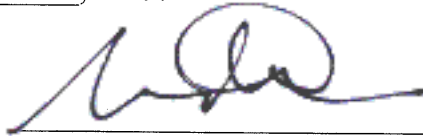
Based on the above stipulation between Plaintiff Bank of America, N.A. (**BANA**), and Defendant Thomas Jessup LLC, Series VI (**Jessup Series VI**), the Parties' agreement, and good cause appearing therefore,

IT IS ORDERED that the deed of trust recorded in the Official Records of Clark County, Nevada against the real property located at 3808 Bach Way, North Las Vegas, Nevada, 89032, APN 139-09-211-007 on June 1, 2006 as Instrument No. 20060601-0005068, was not extinguished, impaired, or otherwise affected by (a) the foreclosure sale of the property conducted by Hidden Canyon Homeowners Association and Absolute Collection Services, LLC on May 15, 2012 or (b) the recording of the HOA foreclosure deed in the Official Records of Clark County, Nevada, on May 16, 2012, as Instrument No. 20120516-0002898, reflecting that Thomas Jessup, LLC purchased the property at the HOA Sale. Jessup Series VI's ownership interest in the property is subject to the deed of trust.

IT IS FURTHER ORDERED that BANA shall be entitled to record this STIPULATION AND ORDER CONFIRMING VALIDITY OF DEED OF TRUST in the Official Records of Clark County, Nevada in accordance with the rules of the Recorder's Office.

IT IS FURTHER ORDERED that this order constitutes the final judgment of this Court, resolving all claims in this case with prejudice, each party to bear its own fees and costs.

DATED this 7th day of August, 2019.



UNITED STATES DISTRICT JUDGE